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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,289	12/19/2001	Bradley W. Johnson	720.505	8117
21707	7590	12/22/2005	EXAMINER	
IAN F. BURNS & ASSOCIATES			PANOS, JEFFREY C	
P.O. BOX 71115			ART UNIT	PAPER NUMBER
RENO, NV 89570			3713	

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/026,289	Applicant(s) JOHNSON ET AL.	
	Examiner Jeffrey C. Panos	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38,40-45 and 53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38,40-45 and 53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 November 2005 has been entered.

Claim Objections

Claims 42 and is objected to because of the following informalities:

Claim 42 is dependent on claim 39, which has been cancelled. The Examiner believes the improper dependency to be a simple human error and interprets the claim to be dependent on claim 38. Appropriate correction is required.

Claim 43 is being rejected under 35 USC 112, 2nd paragraph (see below), but in the case that the Examiner's interpretation of "a table input device" is correct, the Applicant should note that the device as claimed does not appear to refer back to the "moveable player input device" of claim 38 and correction should be made so that it has antecedent basis.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claim 43 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 43 states "a table input device" that the Examiner interprets as the moveable player input device of claim 38. Please provide explanation of the table input device if interpretation is incorrect.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 38 and 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sines et al (US Patent No. 6,165,069) in view of Vancura (6,517,073) and Franchi (US Patent No. 5,770,533).

Regarding claim 38, Sines et al shows a gaming table (Fig. 1, col. 9: 2 and 12), a plurality of game player locations on the gaming table (Fig. 1), and at least one dealer location on the gaming table adjacent to which a dealer may operate the table game apparatus (Fig. 1). There is a plurality of video presentations taught by Sines et al, where the video presentations being generated are independent from the table game

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(col. 17: 62-65). Sines et al teaches a video controller in communication with the video display (col. 14: 26-67; col. 15: 1-28), but lacks the video display mounted above the table. Sines et al teaches an electronic receiver that detects and demodulates and amplifies transmitted signals (or tuner) that are in communication with the video controller and receiving such video presentations (col. 17: 62-65). Sines et al also teaches a digital computing unit 185 in communication with the video controller, whereby the plurality of video presentations, the video controller, the tuner, the video display, and the digital computing unit cooperatively provide at least a plurality of types of supplemental video content simultaneously viewable by each player (col. 14: 26-67; col. 15: 1-28), but again lacks in disclosing the video display that is mounted. Vancura teaches teaches the display mounted above the table for all players to view simultaneously (col. 3: 33-34). Sines et al discloses a video screen input device for each player at the card table, but lacks in disclosing a moveable player input device. The moveable player input device is taught by Franchi, where it is moveable from table to table and commands can be input to the supplemental unit in order to play a supplemental game (col. 17: 59-67; col. 18: 1-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sines et al with the video display taught by Vancura and the moveable input device taught by Franchi so that players can easily and simultaneously view anything dealing with the game, advertisements, etc.; to allow for easier security monitoring, i.e. catching cheaters. In addition, the description of the moveable player input device in the final limitation of claim 1 is not considered because it is intended use of the device because a recitation

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of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Regarding claim 40, Sines et al teaches a supplemental game program loaded into the digital computing unit (col. 19: 60-62), but lacks the video display and digital computing unit cooperatively providing a supplemental display visible to the plurality of game players while at the game player locations at the gaming table (col. 14: 26-67; col. 15: 1-28; col. 19: 60-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sines et al by providing the video display taught by Vancura in order to advertise to more people and attract new players in a more efficient manner, and to allow those players already playing to clearly see what is going on in the game and what is important to all of the players through the video screen.

Regarding claim 41, Sines et al teaches a supplemental game program loaded into the digital computing apparatus whereby the video display, the digital computing unit, and the player input device cooperatively provide an interactive supplemental game display visible to the plurality of game players while at the game player locations at the gaming table, but lacks in disclosing a certain video display viewable by all players simultaneously, which is taught by Vancura (col. 3: 33-34); and the player input device taught by Franchi (col. 17: 59-67; col. 18: 1-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sines et al

with the video display taught by Vancura and the moveable input device taught by Franchi so that players can easily and simultaneously view anything dealing with the game, advertisements, etc.; to allow for easier security monitoring, i.e. catching cheaters.

Regarding claim 42, Sines et al teaches all of the claimed invention but lacks in disclosing a player input device in communication with a machine input device, the machine input device in communication with the digital computing unit 185 (col. 15: 6-28; Fig. 5).

Regarding claim 43, Sines et al teaches all of the claimed invention but lacks in disclosing a table input device (Examiner interprets as the moveable player input device) in communication with the digital computing unit 185 taught by Sines et al (col. 15: 6-28). Franchi teaches the table input device (col. 17: 59-67; col. 18: 1-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sines et al by providing the table input device taught by Franchi to allow for easier security monitoring, i.e. catching cheaters.

Regarding claim 44, Sines et al teaches the machine input device 80 being disposed on the game surface adjacent the dealer location (Fig. 44).

Regarding claim 45, Sines et al teaches communication between the digital computing unit and the machine input device (col. 14: 26-67; col. 15: 1-28; col. 19: 60-62) and is capable of communicating with the table input device (i.e. moveable player input device) taught by Franchi (col. 17: 59-67; col. 18: 1-67). Sines et al lacks in specifically disclosing that polling unit provides help with this communication, but it is

necessary for the devices to work with the system, so it must contain a polling unit otherwise the system would not know how accept signals from different input devices and differentiate between such signals. Thus, its obvious to one of ordinary skill in the art at the time the invention was made.

Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Franchi (US Patent No. 5,770,533) in view of Sines et al (US Patent No. 6,165,069).

Regarding claim 53, Franchi teaches a first and second card gaming table (col. 18: 21-30) being used through the input device 1700. It is also taught that there is a first video display apparatus where first card gaming table side-wager indicia can be viewed, where the information is monitored through a main computer for each table that keeps information stored related to betting, ID, etc.; so it is capable of being monitored by a computer network and it is obvious to one skilled in the art that a network would be hooked up for efficient security monitoring, otherwise the data stored in the main computer has no use (col. 17: 59-67; col. 18: 1-67). In addition, the above input device 1700 is an individual controller (Fig. 17), where many players can hold his or her own, which creates a second video display for a second card game. Franchi lacks in disclosing a video hub in communication with multiple independent video content sources. Sines et al teaches a main computer 185, which is capable of performing the task of the video hub and the video content sources are the video displays 103 for each player at the table (col. 10; 38-54; col. 14: 26-67; col. 15: 1-28). The main computer 185 taught by Sines et al is capable of communicating with the first and display devices

taught by Franchi. Franchi teaches the moveable game input devices used for different game tables and one for each player constituting several moveable game input devices, where the input devices contain the opportunity of wagering (Fig. 17; col. 17: 59-67; col. 18: 1-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Franchi et al by providing the video hub in communication, taught by Sines et al, with the input devices (both video content sources and moveable input devices) to allow for security monitoring and the techniques of cheaters faster.

Response to Arguments

The Examiner withdraws rejections from previous office action in light of the Applicant supplying the proper filing date.

Applicant's arguments with respect to claims 38, 40-45 and 53 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,585,586 teaches a larger display above the table for viewing by the players.

US Patent No. 6,164,646 teaches a plurality of user input devices and video displays with a video monitor above all players.

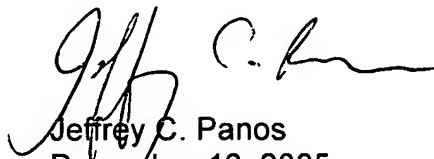
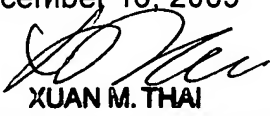
US Patent No. 6,015,347 teaches a game table used for card games with an input device used by the dealer with a separate display connected to a larger display for the players to view.

US Patent No. 6,641,483 teaches a video card game with several displays for each player and a main display for all players to view at table level.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Panos whose telephone number is (571) 272-6136. The examiner can normally be reached on M-F 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jeffrey C. Panos
December 16, 2005

XUAN M. THAI
SUPERVISORY PATENT EXAMINER
TC3700